Application No.: 09/039,438 Docket No.: 8733.120.01

## **REMARKS**

The Decision on Appeal dated March 29, 2010 has been received and its contents carefully reviewed.

Claim 1 has been amended. Claims 7, and 10-26 have been canceled. Accordingly, claims 1-6 and 8-9 are pending.

Claim 1 as amended not included new features not found in the prior art cited by the Examiner. Accordingly, claim 1 and claims 2-6 and 8-9 which depend from claim 1 are allowable.

Applicants believe the application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: May 28, 2010 Respectfully submitted,

/Eric J. Nuss/

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